

July 22, 2015

Medina County Board of Elections
3800 Stonegate Drive, Suite C
Medina, OH 44256

7-22-2015 A 10:50

To the Board of Elections:

As an eligible elector residing in Medina County, I am writing to protest the validity of the county charter petition recently approved by the Medina County Board of Elections and certified by the Medina County Commissioners on July 14, 2015. This petition is entitled "Charter of the County of Medina, Ohio" and was submitted by a committee whose members include Katharine S. Jones, Elizabeth A. Jarrell, Lynn Kemp, Georgia Kimble, and Emilie Anne Judy.

The primary reason for my protest is that I do not believe this charter petition is valid under the constitution and laws of both the United States of America and the State of Ohio. Below are the specific parts of the petition that are of concern, with regards to their validity.

The Charter's Article I, Section 1.15 states "The taking of private property by the County for economic development does not constitute public use." I believe that by excluding economic development from the definition of public use, the charter attempts to narrow the definition of eminent domain beyond that which is allowed in Ohio Revised Code Section 163.01. ORC 163.01 does allow for public use to include economic development as a purpose under certain conditions as defined on ORC 163.01 (H) (1) (a)-(c).

According to ORC 163.021, the elimination of blight is a valid reason for eminent domain. This same "elimination of blight" purpose is a common justification for community development projects, as evidenced by the use of federal Community Development Block Grant Funds distributed by the State of Ohio to local communities for job creating economic development projects. If this Charter becomes law in Medina County, it would violate our community's right to make use of a process already allowed by state law.

Also of concern is Article I, Section 1.12 in the Charter, regarding "Rights Secured Against Corporations." I believe this section violates the rights of corporations already granted by state and federal law. It would allow this Charter to supersede the rights of corporations and unlawfully interfere with properly regulated interstate commerce.

Finally, Article II, Section 2.01.1 and Section 2.01.2 would prohibit private property owners from entering into agreements for the extraction of oil and gas on their own lands, even if such agreement followed every procedure as required by state and federal law. I believe this section of the proposed Charter is a violation of state and federal statutes.

For these reasons, I would ask the Ohio Secretary of State to find this Charter petition invalid and determine that it should not be included on the ballot in the November general election in Medina County.

Thank you,



Bethany Dentler
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